

STATE OF NEW HAMPSHIRE  
BOARD OF PHARMACY

**August 13, 2008**

The regular meeting of the New Hampshire Board of Pharmacy was held on **August 13, 2008** at the Board of Pharmacy office, 57 Regional Drive, Concord, New Hampshire. The meeting was **called to order at 9:01 a.m.** with President George Bowersox presiding.

I. ROLL CALL - AGENDA REVIEW - ANNOUNCEMENTS

PRESENT

George L. Bowersox, President  
Ronald L. Petrin, Vice-President  
Margaret E. Hayes, Treasurer  
Sandra B. Keans, Secretary  
Kristina Genovese, Member  
Vahrij Manoukian, Member

ALSO PRESENT

Paul G. Boisseau, R.Ph.  
Executive Secretary  
Margaret A. Clifford, R.Ph.  
Chief Compliance Investigator

II. REVIEW / ADOPTION OF MINUTES

Minutes of the **July 9, 2008** regular meeting of the Board were **accepted as submitted. (Manoukian/Hayes) Voted (unanimous).**

Minutes of the **July 9, 2008** non-public *Session I* of the Board, conducted under the provisions of NH RSA 91-A were **accepted as submitted. (Manoukian/Petrin). Voted (unanimous).**

Minutes of the **July 9, 2008** non-public *Session II* of the Board, conducted under the provisions of NH RSA 91-A were **accepted as submitted. (Manoukian/Hayes). Voted (unanimous).**

Minutes of the telephone poll (Re: Neighborcare – Change of location) conducted on **July 23, 2008** were **ratified as submitted. (Manoukian/Petrin). Voted (unanimous).**

### III. LICENSING

#### A. Pharmacy Technician

##### 1. Voluntary Surrender

(a) **FERNANDEZ, Oscar J.**

Lincoln, NH

- NH Registration No. PT1035
- Case File: ROI 122/08

**Motion (Manoukian/Keans) to accept the *Voluntary Surrender* of NH pharmacy technician registration No. PT1035 issued to Oscar J. Fernandez. Voted (passed – Commissioner Genovese recused).**

(b) **KERAGHAN, Martha E.**

Exeter, NH

- NH Registration No. PT6033
- Case File: ROI 123/08

**Motion (Manoukian/Hayes) to accept the *Voluntary Surrender* of NH pharmacy technician registration No. PT6033 issued to Martha E. Keraghan. Voted (unanimous).**

(c) **PROVENCHER, Kristin N.**

Seabrook, NH

- NH Registration No. PT4548
- Case File: ROI 125/08

**Motion (Manoukian/Hayes) to accept the *Voluntary Surrender* of NH pharmacy technician registration No. PT4548 issued to Kristin N. Provencher. Voted (unanimous).**

## B. Pharmacy

### 1. Change of Location

#### (a) **RITE AID PHARMACY #3304** - NH Permit No. 0371-P

**From**

69 Portsmouth Avenue  
Exeter, NH 03833

**To**

75 Portsmouth Avenue, Unit 11  
Exeter, NH 03833

Pharmacist-In-Charge: James Vivenzio, R.Ph.  
NH Pharmacist License No. 3164

Application complete.

**Motion (Keans/Hayes) to approve the relocation of Rite Aid Pharmacy #3304 to 75 Portsmouth Avenue, Unit 11, Exeter, NH and to grant licensure effective upon the successful completion of a site inspection by the Compliance Unit. Voted (passed – Commissioner Genovese recused).**

## IV. COMPLIANCE UNIT

### **Activity Report**

- July 2008

**Motion (Manoukian/Genovese) to accept the report as submitted. Voted (unanimous).**

## V. OLD BUSINESS

### A. Rulemaking

#### 1. Chapter Ph 900 – Non-Resident / Mail-Order Pharmacy

**Motion (Manoukian/Genovese) to remove Ph 907.01(i) of the Final Proposal (2008-40) but not to amend (*may to shall*) Ph 905.01(a) as noted in JLCAR's Objection Response (July 17, 2008) and to further request that JLCAR table this item to its September 18, 2008 meeting. Voted (unanimous).**

2. Chapter Ph 1100 – Collaborative Pharmacy Practice

**Motion (Manoukian/Hayes) to approve the Initial Rulemaking Proposal and to proceed with a Fiscal Impact Statement and Rulemaking Notice Form and Proposal submission to JLCAR. Voted (unanimous).**

VI. NEW BUSINESS

A. **NH Impaired Pharmacist Program**

The Board reviewed the sole response to an RFP seeking a contract for the administration of the Impaired Pharmacist Program (RSA 318:29-a).

**Motion (Manoukian/Genovese) to accept the proposal submitted by the New Hampshire PharmAssist Foundation and to extend a contract for services to be provided January 1, 2009 through December 31, 2009 with a 2-year renewal option. Voted (unanimous).**

B. **Chief Compliance Investigator**

**Motion (Manoukian/Genovese) to hire Margaret A. Clifford, R.Ph., as the Board's Chief Compliance Investigator effective September 2, 2008. Voted (unanimous).**

C. **Request for Waiver of Ph 704.08 (a) & (b) – “Pill Planners”**

- Rite Aid Pharmacy #10280 – Laconia, NH

**Motion (Keans/Hayes) to grant a waiver of Ph 704.08 (a) and (b) to authorize Rite Aid Pharmacy #10280 to organize (fill) weekly “pill planners” (containers) with the prescription and nonprescription drugs of certain clients of various mental health centers and senior patients requiring assistance in carrying out dosing schedules as prescribed. All prescription records shall be kept, and made available for inspection, at the pharmacy where such “pill planners” are organized (filled). Policies and procedures detailing the protocol shall be maintained at the pharmacy and a copy shall be provided to the Board of Pharmacy. Any proposed substantive updates and/or changes to the P&P must be submitted to the Board for review and approval prior to implementation. Voted (passed – Commissioner Genovese abstained).**

The regular meeting was recessed at 12:20 P.M.

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*A non-public session was called (Manoukian/Hayes) at 12:21 P.M. with Commissioners Bowersox, Genovese, Hayes, Keans, Manoukian and Petrin present.*

*Discussions and/or decisions occurring during this non-public (confidential) session were according to RSA 91-A:3, I & II and involved personnel issues and information pursuant to ongoing investigations as reported by the Board's Compliance Investigator(s) and/or the Office of the Attorney General, the disclosure of which would likely adversely affect a person's reputation and/or would render the Board's proposed action ineffective.*

*Upon the motion of Manoukian and the second of Hayes, the Board, by roll call vote, resolved to withhold the minutes of the preceding non-public session from public disclosure pursuant to RSA 91-A:3, III on the grounds that public disclosure would be likely to affect adversely the reputation of a person other than a board member and to render the proposed action ineffective. Each member recorded his or her vote on the motion, which passed by the unanimous vote of all members present.*

*The non-public session was adjourned at 12:41 P.M.*

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*The regular meeting was reconvened at 12:41 P.M.*

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VII. ADJOURNED 12:46 P.M.

Respectfully Submitted,

Sandra B. Keans  
Secretary  
FOR THE BOARD